

CPR Annual Meeting 2025 Calming the Waves: Managing Conflict with ADR

TUESDAY, FEBRUARY 4, 2024 (ALL TIMES EASTERN)

| TIME | PROGRAM/SESSION |
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| 4:00-6:00pm | Council Members Meeting – Hybrid (CPR Council Members only) |

WEDNESDAY, FEBRUARY 5, 2025 (ALL TIMES EASTERN)

| TIME | PROGRAM/SESSION |
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| 10:00am-1:00pm | Board Meeting and Lunch |
| 12:00pm | Check-In Open for Attendees |
| 1:30-2:30pm | Corporate Counsel Connection (Invitees only) |
| 3:00pm | Meeting Opens |
| 3:05-3:30pm | Welcome Remarks / President and CEO Address: Serena Lee |
| 3:30-4:15pm | Introduction of Keynote: Serena Lee Keynote Speaker: Judge Rosemary Barkett, Iran-US Claims Tribunal |
| 4:15-4:45pm | Break |
| 4:45-5:45pm | <p>Panel 1: Refocusing on the "Alternative" in ADR: Innovative Paths to Resolving Business Disputes</p> <p>The panelists will explore how different features of ADR, , including business level negotiation, dispute resolution boards, conciliation, and mediation, might be better harnessed to achieve more efficient and holistic solutions to the most complex of disputes. These tools can be essential to bringing about pragmatic business resolutions particularly, for example, in scenarios where all necessary parties may not be the subject of the same arbitration clause or even in contractual privity (a common feature in certain life sciences transactions), and where more creative solutions might be needed to bridge differences and find common ground.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • Kiera Gans (DLA Piper) |

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| | <ul style="list-style-type: none"> • Kenneth Roberts (Venable) • Kate Gonzalez (Airbus) • Philip Greenberg (Veru Inc.) |
| 6:00-7:00pm | Welcome Reception |

THURSDAY, FEBRUARY 6, 2025 (ALL TIMES EASTERN)

| <u>TIME</u> | <u>PROGRAM/SESSION</u> |
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| 8:00-8:45am | Networking Breakfast |
| 8:45-9:00am | Welcome Remarks by Co-Chairs: Effie D. Silva and Philip Greenberg |
| 9:00-10:15am | <p>Panel 2: Practicing Dispute Prevention: Proven Dispute Prevention Mechanisms for Avoiding B2B Disputes and Fostering Better Business Relationships</p> <p>Come join dispute prevention practitioners and the authors of the first guide on practicing dispute prevention, as they discuss the why and how of mechanisms, like Best Value Assessment, Realistic Risk Allocation, Partnering and Standing Neutrals. Bring your own experiences, questions, and ideas for how to keep inevitable conflict from undermining business relationships.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • Ellen Waldman (CPR Institute) • Allen Waxman (DLA Piper) • Neda Ghomeshi (Ryder System, Inc.) • Laura Robertson (ConocoPhillips) |
| 10:15-10:45am | Morning Break and Snacks |
| 10:45-11:45am | <p>Panel 3: Corporate Counsel Roundtable</p> <p>In-house counsel provides their perspectives on conflict management and dispute resolution.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • John Buckley (Williams & Connolly LLP) • Mary Beth Cantrell (Amgen Inc.) • Alberto Ravell (ConocoPhillips) • Kate Gonzalez (Airbus) • Maurice Kuitens (Fluor) |

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| 12:00-1:00pm | Lunch & Networking Break |
| 1:00-2:30pm | <p>Panel 4: Crisis Management ADR: Mediating the Existential Conflict</p> <p>“Crisis management” is or should be a major concern for CPR’s members. An organization’s legal department is inevitably and sometimes centrally involved when a crisis hits. ADR – mediation, arbitration, and other forms of ADR – can be a key component in the planning for, prevention of, and resolution of entity crisis management that can, if ignored or poorly executed, pose an existential threat to the organization, but, if well planned and executed, can help rescue the organization from dire consequences. This panel will share its experience and expertise on these issues – crisis management from an ADR perspective – based on recent corporate and governmental crises.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • Eric Green (CPR Distinguished Neutral, Resolutions LLC) • Prof. Herman B. “Dutch” Leonard (Harvard Business School) • Jana Litsey (Huntington Bancshares Inc.) • William Doderio (Bayer US LLC) • James Smith (Ecolab) • Dr. Josh Green (Governor of Hawaii) • Fouad Kurdi (Resolutions LLC) • Kenneth Roberts (Venable LLP) |
| 2:30-3:30pm | <p>Panel 5: The Changing Face of International Arbitration in Latin America: Practical Considerations, Opportunities and Challenges</p> <p>International arbitration has long been the preferred means for resolving cross-border disputes involving Latin America. This panel will discuss the changing landscape for both commercial and investor-state arbitration, arising from a plethora of new laws, arbitration centers, and political changes throughout the region. The panelists will address various practical considerations—ranging from which arbitral seats/centers provide for the fastest and most-efficient arbitration, to the enforcement of arbitral awards in different jurisdictions. The panelists will also address opportunities and challenges for international arbitration in Latin America based on recent legal and political developments in key jurisdictions.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • Alexandre de Gramont (Womble Bond Dickinson) • Carlos Martinez Betanzos (Basham, Ringe y Correa S.C.) |

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| | <ul style="list-style-type: none"> • Eduardo Silva Romero (Wordstone) • Elisabeth Eljuri (Westlawn Americas Offshore) • Lucinda Low (Low & Kinnear Dispute Resolution) |
| 3:30-4:00pm | Networking Break – Afternoon Snacks |
| 4:00- 5:00pm | <p>Panel 6: Bifurcation – Achieving Balance for the Efficient and Fair Resolution of Disputes</p> <p>The CPR Rules encourage the Tribunal and the Parties to consider early in the process whether to bifurcate issues for early resolution. This panel will address the myriad ways in which tribunals have bifurcated proceedings, including to address: (i) jurisdictional questions, (ii) dispositive motions, (iii) threshold contractual questions, and (iv) early report from a tribunal-appointed or joint expert. The panelists will discuss some of the virtues and pitfalls of bifurcation, including efficiency and fairness concerns. The panelists will comment on whether it would be helpful to adopt a uniform standard to guide the decision to bifurcate the arbitration, and if so, the contours of an appropriate standard.</p> <p>Panelists</p> <ul style="list-style-type: none"> • Lauren Friedman (King & Spalding) • Carlos Ramos-Mrosovsky (BakerHostetler) • Meg Kinnear (Low & Kinnear Dispute Resolution) • James Hosking (Chaffetz Lindsey LLP) |
| 5:00-5:10pm | Day 2 Closing Comments |
| 5:10-6:15pm | Break |
| 6:15-7:30pm | Cocktail Reception |
| 7:30-9:30pm | Seated Awards Dinner – Includes: Meet our Sponsors’ Rising ADR Stars Video |

FRIDAY, FEBRUARY 7, 2025 (ALL TIMES EASTERN)

| TIME | PROGRAM/SESSION |
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| 8:00-8:45am | Networking Breakfast |
| 8:45-9:00am | CPR DRS Innovations: Mia Levi |
| 9:00-10:30am | <p>Panel 7: Dispute Prevention: Moving from Theory to Practice</p> <p>Description:</p> <p>Prevention is CPR’s middle name. And appropriately within the CPR community, the concept of Dispute Prevention continues to gain recognition and traction. The CPR community can even brag about successes in utilizing these processes</p> |

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| | <p>and in preventing unnecessary litigation. Notwithstanding all that recommends it, prevention has yet to achieve the saturation of other ADR processes like mediation. If we agree that litigation is good and preventing litigation a priority, how do we hasten Prevention's acceptance. How do we move from theory to implementation. We invite you to share your perspectives in this highly interactive facilitated conversation on best practices for less litigation and more business purpose.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • Joan Stearns Johnsen (University of Florida Levin College of Law) • Cynthia Randall (Microsoft) • Deborah Mastin (Independent Neutral, Law Office of Deborah Mastin) • Steven Bierman (Bierman ADR) • William Doderio (Bayer US LLC) • Ellen Waldman (CPR Institute) |
| 10:30-11:00am | Morning Break |
| 11:00am - 12:00pm | <p>Panel 8: The Roberts Court's Treatment of the Federal Arbitration Act</p> <p>John Roberts successfully argued <i>First Options</i> when he was in private practice. It is not often that you get the chance to apply the law you helped make! But as Chief Justice for nearly 20 twenty years, he has done just that and more. Indeed, in this 100th Anniversary of the Federal Arbitration Act, the Roberts Court has issued about the same number of opinions on the FAA as the Court issued in the FAA's first 80 years. Our panel will reprise the Roberts' Court's treatment of the FAA and attempt to answer of just what is the federal policy regarding arbitration.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • John Barkett (Shook Hardy & Bacon LLP) • Carmela Romeo (Arnold & Porter) • Prince-Alex Iwu (Diaz Reus) • Eric Boos (ADT) |

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| 12:00-1:00pm | Lunch |
| 1:00-2:00pm | <p>Panel 9: Mitigating Risks and Navigating Potential Disputes in Latin America</p> <p>Miami is a hub for companies doing business in Latin America. Miami's prominence as a gateway to Latin America has continued to increase in recent years. At the same time, Latin America has experienced unprecedented political and economic disruption. This panel will explore the tools available to companies and practitioners to mitigate risks as they invest and operate in volatile environments.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • Estefania San Juan (White & Case LLP) • Lindsey Raspino (ConocoPhillips) • Miguel Nakhle (Compass Lexecon) • Andrea de Lima (PriceSmart) |
| 2:00-3:00pm | <p>Panel 10: Dispute Resolution in the Tech Sector</p> <p>This program will focus on trends in dispute resolution in the tech sector. The panel, which will include practitioners and in-house counsel with considerable sector experience, will address the particular challenges of commercial arbitrator involving new and developing technologies and also will discuss the growing importance of the technology sectors in key regions in the US and abroad, including South Florida and Latin America.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • Harout Samra (DLA Piper) • Conna Weiner (CPR Distinguished Neutral and JAMS) • Eduardo Perazza (Machado Meyer Advogados) • Justin Carlson (Velocity Solutions, LLC) |
| 3:00-3:15pm | Break |
| 3:15-4:15pm | <p>Panel 11: Immunity and Independence: Outer Limits on Arbitrator Ethics: Where is the Line?</p> <p>Arbitrator immunity in the performance of their arbitrator duties protects the independence of arbitrators from outside influence and inference from the executive or judiciary branches of states. At the same time, the immunity is not a "blanket" immunity, regulation of arbitrator ethics serving as a shield towards lack of independence and impartiality. Albeit rare, challenges to arbitrators' immunity are on the rise with recent civil and criminal proceedings being</p> |

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| | <p>leveraged against arbitrators in the context of both ad-hoc and institutional international arbitrations in a number of jurisdictions. Issues that will be addressed in the panel arise on the regulation of arbitrator ethics, as to its procedural form, and its outer limits, between protection and hindrance of international arbitration.</p> <p>Panelists:</p> <ul style="list-style-type: none"> • Carlos Concepcion (CPR Distinguished Neutral, Concepcion Global PLLC) • Sashe Dimitroff (BakerHostetler) • Effie D. Silva (Fresh Del Monte) • Greg Fullelove (Osborne Clarke) • Katharine Menendez de la Cuesta (Holland & Knight) |
| 4:15-4:30pm | Day 3 Closing Remarks and Thanks (By Co-Chairs) |
| | Possible Off-Site Informal Dinner |